REMARKS

Introduction

Claims 1-22 are in the application, of which claims 1 and 18-22 are in independent form. Claims 21 and 22 have been amended.

Rejections under 35 U.S.C. § 101

Claims 21 and 22 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. By this Amendment, applicants have amended claims 21 and 22 to attend to the rejections under 35 U.S.C. § 101, and submit that amended claims 21 and 22 are directed to statutory subject matter. Accordingly, withdrawal of the rejections under 35 U.S.C. § 101 is requested.

Rejections Objections

Claim 22 stands objected to as being in improper dependent form. By this Amendment, applicants have amended claim 22 to attend to the objection, and submit that amended claim 22 is in proper form. Accordingly, withdrawal of the objection to claim 22 is requested.

Rejections under 35 U.S.C. § 102(e)

Claims 1-10, 15, 16 and 18-20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. US 2004/0123109 A1 (*Choi*).

With respect to *Choi*, applicants submit that the use of *Choi* as the basis of a rejection under 35 U.S.C. § 102(e) is improper because *Choi* does not qualify as prior art. *Choi* claims the benefit of three provisional patent applications, only two of which (U.S. Provisional Patent Application Nos. 60/410,816 and 60/418,160)(the "Provisional Patent Applications") have an earlier filing date than the priority date of the present application. Upon review of the

Provisional Patent Applications, however, applicants do not find support for the portions of *Choi* relied on by the Examiner in the rejections. For example, with respect to the rejections to claims 1, 18, 19 and 21, applicants do not see FIG. 1, FIG 6, or the text of paragraph [0045] of *Choi*, upon which the rejections are based, in the Provisional Patent Applications. Accordingly, because the Provisional Patent Applications do not support the portions of *Choi* relied on by the Examiner for the rejections, applicants submit that the use of *Choi* as the basis of a rejection under 35 U.S.C. § 102(e) is improper because *Choi* does not qualify as prior art.

Accordingly, for this reason, applicants submit that claim 1 is patentable over *Choi*, and withdrawal of the rejection to claim 1 under 35 U.S.C. § 102(e) is requested.

Moreover, applicants submit that claim 1 of the present application is patentable over *Choi* for additional reasons. Claim 1 of the present application is directed to a method of providing data integrity authentication and data protection, in which "a set of data fragments is protected by a signature." By way of the method, "each data fragment of the set comprises its own unique identifier" and "the signature comprises references to the respective unique identifiers of the data fragments of the set."

Choi does not describe all of these features. For example, *Choi* does not describe a method in which "each data fragment of the set comprises its own unique identifier" and "the signature comprises references to the respective unique identifiers of the data fragments of the set."

Choi describes, with reference to FIG. 6 of *Choi*, a method whereby a plurality of fragment data is generated, predetermined fragment data is selected from the plurality of fragment data, and digest information is generated for the selected fragment data. In stark contrast, claim 1 of the present application recites a method whereby "each data fragment of the set comprises its own unique identifier" and "the signature comprises references to the respective

unique identifiers of the data fragments of the set." *Choi* does not describe a set of fragments where each of the fragments in the set has a unique identifier, and the use of a signature that references each of the unique identifiers of the fragments in the set.

Accordingly, for this additional reason, applicants submit that claim 1 is patentable over *Choi*, and withdrawal of the rejection to claim 1 under 35 U.S.C. § 102(e) is requested.

Each of claims 2-10, 15 and 16 ultimately depend from claim 1, that is discussed above and is believed to be allowable, and further narrow and define that claim. Therefore, at least for depending from allowable claim 1, claims 2-10, 15 and 16 are also believed to be allowable over *Choi*.

Each of independent claims 18-20, while differing in form and scope from claim 1, recites features similar to those described above with respect to the allowability of claim 1. Accordingly, at least for the reasons discussed above with respect to the allowability of claim 1, each of claims 18-20 is also believed to be allowable over *Choi*.

Rejections under 35 U.S.C. § 103(a)

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over a combination of *Choi*, and "A method to process XML document with preserving their representation," IBM Technical Disclosure Bulletin, October 2001, UK (*IBM*).

Each of claims 7 and 8 depend from claim 1, that is discussed above and is believed to be allowable, and further narrow and define that claim. Therefore, at least for depending from allowable claim 1, claims 7 and 8 are also believed to be allowable over *Choi*.

IBM describes a system for processing parts of an XML document, but does not make up for the deficiencies of *Choi*. Accordingly, for at least the reasons discussed above with

respect to the patentability of claim 1, claims 7 and 8 are deemed to distinguish patentably over any hypothetical combination of *Choi* and *IBM*.

Claims 11-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over a combination of *Choi*, and U.S. Patent Publication No. US 2002/0038352 A1 (*Ashley*).

Each of claims 11-14 ultimately depend from claim 1, that is discussed above and is believed to be allowable, and further narrow and define that claim. Therefore, at least for depending from allowable claim 1, claims 11-14 are also believed to be allowable over *Choi*.

Ashley describes a system for the handling of data keys or tokens for the obtaining of data, but does not make up for the deficiencies of *Choi*. Accordingly, for at least the reasons discussed above with respect to the patentability of claim 1, claims 11-14 are deemed to distinguish patentably over any hypothetical combination of *Choi* and *Ashley*.

Claims 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over a combination of *Choi*, and U.S. Patent Publication No. US 2003/0093678 A1 (*Bowe*).

Claim 17 ultimately depends from claim 1, that is discussed above and is believed to be allowable, and further narrows and defines that claim. Therefore, at least for depending from allowable claim 1, claim 17 is also believed to be allowable over *Choi*.

Bowe describes a system for providing digital signatures on electronic documents and for authenticating the documents by verifying their signatures, but does not make up for the deficiencies of *Choi*. Accordingly, for at least the reasons discussed above with respect to the patentability of claim 1, claim 17 is deemed to distinguish patentably over any hypothetical combination of *Choi* and *Bowe*.

Thus, applicants submit that each of the claims of the present application are patentable over each of the references of record, either taken alone, or in any proposed

hypothetical combination. Accordingly, withdrawal of the rejections to the claims is respectfully requested.

Conclusion

In view of the above remarks, reconsideration and allowance of the present application is respectfully requested.

Respectfully submitted,

Paul Im
Registration No. 50,418

Date: 7 May 2007

By: James Dobrow
Attorney for Applicant
Registration No. 46,666

Mail all correspondence to:

Paul Im, Registration No. 50,418
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9627
Fax: (914) 332-0615

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8

Date of Transmission: 7 May 2007

I hereby certify that this correspondence and enumerated documents are being transmitted to the U.S. Patent and Trademark Office on the date of transmission indicated above.

Name: James Dobrow

Signature: